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## NOTICE OF ALLOWANCE AND FEE(S) DUE

21186 7590 03/23/2010

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.  
P.O. BOX 2938  
MINNEAPOLIS, MN 55402

EXAMINER

ROBINSON BOYCE, AKIBA K

ART UNIT

PAPER NUMBER

3628

DATE MAILED: 03/23/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/579,918

05/26/2000

Philip C M Leung

1126.001US1

8219

TITLE OF INVENTION: SYSTEM AND METHOD FOR RAIL TRANSPORT OF TRAILERS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	06/23/2010

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

21186 7590 03/23/2010

**SCHWEGMAN, LUNDBERG & WOESSNER, P.A.**  
P.O. BOX 2938  
MINNEAPOLIS, MN 55402

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/579,918	05/26/2000	Philip C M Leung	1126.001US1	8219

TITLE OF INVENTION: SYSTEM AND METHOD FOR RAIL TRANSPORT OF TRAILERS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	06/23/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
ROBINSON BOYCE, AKIBA K	3628	705-013000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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09/579,918	05/26/2000	Philip C M Leung	1126.001US1	8219
21186	7590	03/23/2010	EXAMINER	
SCHWEGMAN, LUNDBERG & WOESSNER, P.A. P.O. BOX 2938 MINNEAPOLIS, MN 55402			ROBINSON BOYCE, AKIBA K	
			ART UNIT	PAPER NUMBER
			3628	
DATE MAILED: 03/23/2010				

## Determination of Patent Term Extension under 35 U.S.C. 154 (b)

(application filed after June 7, 1995 but prior to May 29, 2000)

The Patent Term Extension is 0 day(s). Any patent to issue from the above-identified application will include an indication of the 0 day extension on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Extension is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/579,918	LEUNG, PHILIP C M	
	<b>Examiner</b>	<b>Art Unit</b>	
	AKIBA K. ROBINSON BOYCE	3628	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communications filed 11/9/09.
2. ☒ The allowed claim(s) is/are 1-10, 12-22 and 26-28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date ____     | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other ____.   |

/Akiba K Robinson-Boyce/  
Primary Examiner, Art Unit 3628

***Allowable Subject Matter***

1. Claims 1-10, 12-22 and 26-28 are allowed.
2. Since allowable subject matter has been indicated, applicant is encouraged to submit formal drawings in response to this Office Action. The early submission of formal drawings will permit the Office to review the drawings for acceptability and to resolve any informalities remaining therein before the application is passed to issue. This will avoid possible delays in the issue process.
3. The following is an examiner's statement of reasons for allowance. None of the prior art of record either individually or in combination teach the following:
  - wherein the railway terminal management system pulls up the record corresponding to the trailer to be transported when the trailer arrives at the terminal and modifies the record to reflect the trailer's transportation status.
  - wherein each terminal management system tracks arrivals and departures of the trailers from each railway terminal and modifies the information stored in the data storage system as a function of said arrivals and departures.
  - means for transferring information about trailers being transported from and to the railway terminals through the network interface to the computer system of the railway terminal;

The present invention discloses a trailer transport system for tracking trains having a plurality of rail cars, wherein each rail car can transport a trailer. The first

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allowable feature of wherein the railway terminal management system pulls up the record corresponding to the trailer to be transported when the trailer arrives at the terminal and modifies the record to reflect the trailer's transportation status is not disclosed by any prior art reference. The closest prior art, Keillor et al (US 5,917,433) shows an asset monitoring system and associated method which includes an asset monitor for providing a remotely located central station with information relating to a container, such as a trailer, both during tethered periods in which the energy storage reservoir of the asset monitor is electrically connected to an external power source, such as the electrical system of a tractor or truck, and during untethered periods in which the energy storage reservoir of the asset monitor is electrically untethered or disconnected from the external power source. The next closest prior art, Klanke (US 6,313,791) discloses an automotive GPS control system where a GPS receiver cooperative with a CPU having a memory enables inputting of data defining an electronic fence, i.e., a set of locations or a region where the vehicle is permitted to be operated. In this case, the electronic fence may be cooperative with a set of permitted driving instructions defining a delivery pathway for a set of stops, there being one or more delivery paths, which in conjunction with a clock, enables the vehicle to make delivery trips of a different nature at different times. The next closest prior art, Borland's Paradox for Window's User's Guide, discloses exemplary relational database systems that can be incorporated into transport systems. The next closest prior art, Nijenhuis (PCT/NL98/00128) discloses a container transport system that includes a terminal with a loading pad. Newly cited art, Fukawa et al (US 5,390,880), discloses monitoring the

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train movements, and when trains arrive and depart at different stations, train details are recorded and updated. The next newly cited art, Willetts (US 4,385,857) discloses an interchange parking lot, which demonstrates the same features as the railway terminal of the present invention. However, Keillor et al, Klanke, Borland's Paradox for Window's User's Guide, Nijenhuis, Fukawa et al and Willetts all fail to disclose the feature of wherein the railway terminal management system pulls up the record corresponding to the trailer to be transported when the trailer arrives at the terminal and modifies the record to reflect the trailer's transportation status. This distinct feature has been added to independent claim 1, and renders it and all claims that depend from it (claims 1-10) allowable.

The second allowable feature of wherein each terminal management system tracks arrivals and departures of the trailers from each railway terminal and modifies the information stored in the data storage system as a function of said arrivals and departures is not disclosed by any prior art reference. The closest prior art, Keillor et al (US 5,917,433) shows an asset monitoring system and associated method which includes an asset monitor for providing a remotely located central station with information relating to a container, such as a trailer, both during tethered periods in which the energy storage reservoir of the asset monitor is electrically connected to an external power source, such as the electrical system of a tractor or truck, and during untethered periods in which the energy storage reservoir of the asset monitor is electrically untethered or disconnected from the external power source. The next closest prior art, Klanke (US 6,313,791) discloses an automotive GPS control system

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where a GPS receiver cooperative with a CPU having a memory enables inputting of data defining an electronic fence, i.e., a set of locations or a region where the vehicle is permitted to be operated. In this case, the electronic fence may be cooperative with a set of permitted driving instructions defining a delivery pathway for a set of stops, there being one or more delivery paths, which in conjunction with a clock, enables the vehicle to make delivery trips of a different nature at different times. The next closest prior art, Borland's Paradox for Window's User's Guide, discloses exemplary relational database systems that can be incorporated into transport systems. The next closest prior art, Nijenhuis (PCT/NL98/00128) discloses a container transport system that includes a terminal with a loading pad. Newly cited art, Fukawa et al (US 5,390,880), discloses monitoring the train movements, and when trains arrive and depart at different stations, train details are recorded and updated. The next newly cited art, Willetts (US 4,385,857) discloses an interchange parking lot, which demonstrates the same features as the railway terminal of the present invention. However, Keillor et al, Klanke, Borland's Paradox for Window's User's Guide, Nijenhuis, Fukawa et al and Willetts all fail to disclose the feature of wherein each terminal management system tracks arrivals and departures of the trailers from each railway terminal and modifies the information stored in the data storage system as a function of said arrivals and departures. This distinct feature has been added to independent claims 12 and 16, and renders them and all claims that depend from them (claims 13-15 and 17-22) allowable.

The third allowable feature of means for transferring information about trailers being transported from and to the railway terminals through the network interface to the



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computer system of the railway terminal is not disclosed by any prior art reference. The closest prior art, Keillor et al (US 5,917,433) shows an asset monitoring system and associated method which includes an asset monitor for providing a remotely located central station with information relating to a container, such as a trailer, both during tethered periods in which the energy storage reservoir of the asset monitor is electrically connected to an external power source, such as the electrical system of a tractor or truck, and during untethered periods in which the energy storage reservoir of the asset monitor is electrically untethered or disconnected from the external power source. The next closest prior art, Klanke (US 6,313,791) discloses an automotive GPS control system where a GPS receiver cooperative with a CPU having a memory enables inputting of data defining an electronic fence, i.e., a set of locations or a region where the vehicle is permitted to be operated. In this case, the electronic fence may be cooperative with a set of permitted driving instructions defining a delivery pathway for a set of stops, there being one or more delivery paths, which in conjunction with a clock, enables the vehicle to make delivery trips of a different nature at different times. The next closest prior art, Borland's Paradox for Window's User's Guide, discloses exemplary relational database systems that can be incorporated into transport systems. The next closest prior art, Nijenhuis (PCT/NL98/00128) discloses a container transport system that includes a terminal with a loading pad. Newly cited art, Fukawa et al (US 5,390,880), discloses monitoring the train movements, and when trains arrive and depart at different stations, train details are recorded and updated. The next newly cited art, Willetts (US 4,385,857) discloses an interchange parking lot, which

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demonstrates the same features as the railway terminal of the present invention.

However, Keillor et al, Klanke, Borland's Paradox for Window's User's Guide, Nijenhuis, Fukawa et al and Willetts all fail to disclose the feature of means for transferring information about trailers being transported from and to the railway terminals through the network interface to the computer system of the railway terminal. This distinct feature has been added to independent claim 26 and renders it and all claims that depend from it (claims 27-28) allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 571-272-6734. The examiner can normally be reached on Monday-Friday 9am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

•Patent Application Information Retrieval (PAIR) system, Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

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information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

A. R. B.  
March 20, 2010

/Akiba K Robinson-Boyce/  
Primary Examiner, Art Unit 3628